

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

<b>UNITED STATES OF AMERICA,</b>	§	
Plaintiff,	§	
	§	
v.	§	1:15-CR-42
	§	
<b>MILTON SMITH,</b>	§	
Defendant.	§	

**ORDER**

The matter is before the Court on defendant's unopposed motion to unseal particular pleadings and transcripts for use in connection with the case *United States v. Tony Tanner*, 3:16-CR-0061-N, which is presently pending sentencing in the Northern District of Texas. For good cause shown, and without objection from the government, it is hereby ORDERED that the defendant's motion (Doc. 240) is GRANTED subject to the following PROTECTIVE ORDER:


The Court permits the unsealing of:

- 1) SENTENCING MEMORANDUM by Milton Smith, Jr. (Doc. 177)
- 2) sentencing hearing held on February 5, 2016
- 3) Order (Doc. 200)
- 4) Order (201), hearing held on May 18, 2016
- 5) government's memorandum on sentencing (Doc. 228)
- 6) defense's response (Doc. 229) and
- 7) sentencing hearing held on February 3, 2017

solely for use in connection with the case *United States v. Tony Tanner*, 3:16-CR-0061-N, presently pending in the Northern District of Texas. Furthermore, every

portion of the unsealed documents and transcripts will be redacted except as they relate to Autism Spectrum Disorder and/or Asberger's Disorder and the Bureau of Prison's ability to account for an inmate so diagnosed. Any pleadings for the case *United States v. Tony Tanner*, 3:16-CR-0061-N that contain any of the unsealed information will themselves be filed only under seal and with copies provided to both the government and defense.

DATED this 20<sup>th</sup> day of March, 2018.

  
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T. S. Ellis, III  
United States District Judge